

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUIS VEGA,

Plaintiff,

No. CIV S-02-1977 MCE KJM P

vs.

EDWARD S. ALAMEIDA, JR., et al.,

Defendants.

DISCOVERY ORDER

Defendant Branich has answered the amended complaint. As provided by this order and the Federal Rules of Civil Procedure 1, 16, and 26-36, discovery shall proceed as follows:

1. Discovery requests shall be served by the party seeking the discovery on all parties to the action.¹ Discovery requests shall not be filed with the court except when required by Local Rules 30-250(a), 33-250(c), 34-250(c) and 36-250(c);

2. Responses to written discovery requests shall be due forty-five days after the request is served;

¹ If an attorney has filed a document with the court on behalf of any defendant, then plaintiff must serve documents on that attorney and not on the defendant. See Fed. R. Civ. P. 5(b).

1 3. The parties are cautioned that filing of discovery requests or responses, except
2 as required by rule of court, may result in an order of sanctions, including, but not limited to, a
3 recommendation that the action be dismissed or the answer stricken;

4 4. As provided by Federal Rule of Civil Procedure 30(a), defendant may depose
5 plaintiff and any other witness confined in a prison upon condition that, at least fourteen days
6 before such a deposition, defendant serve all parties with the notice required by Fed. R. Civ. P.
7 30(b)(1); and

8 5. If disputes arise about the parties' obligations to respond to requests for
9 discovery, the parties shall comply with all pertinent rules including Rules 5, 7, 11, 26, and 37 of
10 the Federal Rules of Civil Procedure and Rules 5-134, 5-135, 6-136, 7-130, 7-131, 7-132, 11-
11 110, 43-140, and 78-230(m) of the Local Rules of Practice for the United States District Court,
12 Eastern District of California; unless otherwise ordered, Local Rule 37-251 shall not apply.
13 Filing of a discovery motion that does not comply with all applicable rules may result in
14 imposition of sanctions, including but not limited to denial of the motion.

15 DATED: October 12, 2005.

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18 UNITED STATES MAGISTRATE JUDGE
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